

1
2
3
4
5
6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 VICENTE MIRANDA OCADIO, No. CIV S-10-2597-CMK

12 Plaintiff,

13 vs.

ORDER

14 U.S. DEPARTMENT OF JUSTICE,
15 et al.,

16 Defendants.
17 _____/

18 Plaintiff, a federal prisoner proceeding pro se, brings this civil rights action. For
19 cases such as this, which are based on federal question jurisdiction, the federal venue statute
20 requires that the action be brought only in “(1) a judicial district where any defendant resides, if
21 all defendants reside in the same State, (2) a judicial district in which a substantial part of the
22 events or omissions giving rise to the claim occurred, or a substantial part of property that is the
23 subject of the action is situated, or (3) a judicial district in which any defendant may be found, if
24 there is no district in which the action may otherwise be brought.” 28 U.S.C. § 1391(b). Here, it
25 appears that the claim(s) arose at the Elkton Federal Correctional Institution located in
26 Columbiana County, Ohio, which is within the boundaries of the United States District Court for

1 the Northern District of Ohio. Therefore, the court finds that this action most appropriately
2 proceeds in that district. In the interest of justice, the court will transfer this case. See 28 U.S.C.
3 § 1406(a).

4 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the
5 United States District Court for the Northern District of Ohio.

6
7 DATED: September 30, 2010

8 
9 **CRAIG M. KELLISON**
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26